UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,933	11/24/2003	Mahesh Rajagopalan	03-1027	5242

25537   7590   12/22/2010
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EXAMINER
JAKOVAC, RYAN J

ART UNIT	PAPER NUMBER
2445	

NOTIFICATION DATE	DELIVERY MODE
12/22/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

		Application No.	Applicant(s)	
Office Action Summary		10/720,933	RAJAGOPALAN ET AL.	
		Examiner	Art Unit	
		RYAN J. JAKOVAC	2445	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 November 2010</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-70</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-70</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-70 have been considered but are not
persuasive.

2.   Applicant argues in summary that French-St. George does not disclose: "sending a
notification of a collaboration request to a device associated with the calling party based on the
response, the collaboration request being a request for a collaboration to share data
interactively between the called party and the calling party, the collaboration being in addition
to the call". The Examiner respectfully disagrees as French-St. George discloses these
limitations in at least col. 7:50 – col. 8:50. French-St. George discloses that a communications
event is any type of voice or data transfer between two or more points which is supported by the
system (French-St. George, col. 4:16-20.). The communication event includes video
conferencing (French-St. George, col. 6:48-53.). In response to a call, the receiving party may
select options for receiving a communications event (French-St. George, col. 7:57-62.). These
options include requesting a change of the communications media format (French-St. George,
col. 7:53-55.). The receiving party may request that the communications format be changed into
one of many the formats supported by the system, e.g. video conferencing (French-St. George,
col. 6:48-53. See also, col. 8:4-10 which discloses the request to change media format into a
preferred format of the receiving party.). In response to receiving a call, the receiving party sends
a request for the communications event in a particular format (i.e. "sending a notification of a
collaboration request to a device associated with the calling party based on the response") and
one of ordinary skill in the art at the time of the invention would consider a video conference to

constitute: "the collaboration request being a request for a collaboration to share data

interactively between the called party and the calling party, the collaboration being in addition

to the call". Therefore, French-St. George discloses the limitations as described above and as

outlined in the rejections set for the below.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-70 rejected under 35 U.S.C. 102(b) as being anticipated by US 6,122,348 to

French-St. George et al (hereinafter French-St. George).

        Regarding claims 1, 24, 47, 49, 14, 37, 48, 62-69, French-St. George teaches a method

comprising:

        receiving information pertaining to a call to a called party placed by a calling

party (French-St. George, col. 3:50 -col. 4:55, col. 6:30-65.);

        sending a notification of the call to a device associated with the called party (French-St.

George, col. 7:20-26.);

        receiving a response to the notification (French-St. George, col. 7:20-26.);

        sending a notification of a collaboration request to a device associated with the

calling party based on the response, the collaboration request being a request for a collaboration

to share data interactively between the called party and the calling party, the collaboration being

in addition to the call (French-St. George, col. 7:50 – col. 8:50.);

receiving a response from the calling party accepting or denying the collaboration request

(French-St. George, col. 8:20-30.); and

connecting the call between the calling party and the called party when the calling party

denies the collaboration request (French-St. George, col. 8:20-30, "receiver to automatically

request that the caller leave a message rather than complete the requested synchronous

dialogue".);

initiating the collaboration between the called party and the calling party based on a

determination that the calling party accepts the collaboration request (French-St. George, col.

3:50-67. See also fig. 3, 310.).

wherein conducting the collaboration comprises using application software that provides

multiparty communication between at least the called party and the calling party (French-St.

George, fig. 3, col. 5:30-60, col. 7:55-67.).

Regarding claim 2, 25, 50, French-St. George the method of claim 1, wherein the

information pertaining to the call comprises at least one of called number data, calling name

data, and calling number data (French-St. George, col. 5:63 – col. 6:10-57.).

Regarding claim 3, 15, 26, 38, 51, French-St. George teaches the method of claim 1,

wherein sending a notification of the call comprises:

retrieving data corresponding to the called party using the information pertaining to the call (French-St. George, col. 5:30 – col. 6:10. col. 4:40-64, col. 7:50- 8:44.);

selecting a device associated with the called party to receive the notification of the call based on the data corresponding to the called party (French-St. George, col. 5:30 – col. 6:10. col. 4:40-64, col. 7:50- 8:44.); and

providing the notification of the call to the selected device for display on the selected device (French-St. George, col. 5:30 – col. 6:10. col. 4:40-64, col. 7:50- 8:44.).

Regarding claim 4, 16, 27, 39, 52, French-St. George the method of claim 1, wherein the notification of the call comprises a user-selectable collaboration option (French-St. George, col. 7:50-col. 8:50, see also fig. 3.).

Regarding claim 5, 17, 28, 40, 53, French-St. George the method of claim 4, wherein the notification of the call is displayed on the device associated with the called party (French-St. George, col. 7:50-col. 8:50, see also fig. 3.).

Regarding claim 6, 18, 29, 41, 54, French-St. George the method of claim 1, wherein sending a notification of a collaboration request comprises:

providing the notification of the collaboration request to a device used to place the call for display on the device used to place the call, based on a determination that the response to the notification of the call indicates that the collaboration is requested (French-St. George , col. 7:57-col. 8:10.).

Regarding claim 7, 19, 30, 42, 55, French-St. George teaches the method of claim 1, wherein sending a notification of a collaboration request comprises:

retrieving data corresponding to the calling party using the information pertaining to the call, based on a determination that the response to the notification of the call indicates that the collaboration is requested (French-St. George, col. 5:30 – col. 6:10. col. 4:40-64, col. 7:50-8:44.);

selecting a device associated with the calling party to receive the notification of the collaboration request based on the data corresponding to the calling party (French-St. George, col. 5:30 – col. 6:10. col. 4:40-64, col. 7:50- 8:44.); and

providing the notification of the collaboration request to the selected device associated with the calling party for display on the selected device associated with the calling party (French-St. George, col. 5:30 – col. 6:10. col. 4:40-64, col. 7:50- 8:44.).

Regarding claim 8, 20, 31, 43, 56, French-St. George the method of claim 1, wherein the notification of the collaboration request comprises user-selectable options for accepting and declining the collaboration request (French-St. George, col. 7:50-col. 8:50, see also fig. 3.).

Regarding claim 9, 32-33, 57, 70, French-St. George the method of claim 1, further comprising, prior to sending the notification of the collaboration request:

launching the collaboration between the called party and the calling party from the perspective of the called party (French-St. George, col. 3:50-67. See also fig. 3, 310.).

Regarding claim 10, 23, 34, 46, 58, French-St. George the method of claim 9, the connecting comprising: launching the collaboration between the called party and the calling party from the perspective of the calling party, based on a determination that the calling party accepts the collaboration request (French-St. George, col. 3:50-67. See also fig. 3, 310.); and

connecting the call between the called party and calling party (French-St. George, col. 3:50-67. See also fig. 3, 310.).

Regarding claim 11, 21, 44, 59, French-St. George the method of claim 9, the connecting comprising: launching the collaboration between the called party and the calling party from the perspective of the calling party, based on a determination that the calling party accepts the collaboration request (French-St. George, col. 3:50-67. See also fig. 3, 310.), wherein the collaboration includes a data connection and a voice connection (French-St. George, col. 4:50-64.).

Regarding claim 12, 22, 35, 45, 60, French-St. George the method of claim 9, the connecting comprising: launching the collaboration between the called party and the calling party from the perspective of the calling party based on a determination that the calling party accepts the collaboration request (French-St. George, col. 3:50-67. See also fig. 3, 310.), wherein the collaboration includes a data connection and a voice connection (French-St. George, col. 4:50-64.), wherein the collaboration includes a data connection (French-St. George, col. 3:50-67. See also fig. 3, 310.), wherein the collaboration includes a data connection and a voice

connection (French-St. George, col. 4:50-64.) and a videoconferencing connection (French-St.

George, col. 6:45-55.).

Regarding claim 13, 36, 61, French-St. George the method of claim 9, the connecting

comprising: ceasing the collaboration launched from the perspective of the called party based on

a determination that the calling party declines the collaboration request; and connecting the call

to the called party between the called party and the calling party (French-St. George, col. 8:20-

30, "receiver to automatically request that the caller leave a message rather than complete the

requested synchronous dialogue".).

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Phillips can be reached on 571-272-3940. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan Jakovac/

/HASSAN PHILLIPS/
Primary Examiner, Art Unit 2445